IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL, CIVIL JURISDICTION

WRIT PETITION NO.1536 OF 2006

Gerry Coelho ..Petitioner

Vs.

Central Board of Film ..Respondents

Certificate & Ors.

Mr,. J. Rais, Senior Counsel with Mr. P. M. Havnur

for the petitioner

Mr. Rajiv Chavan with Mr. Y.R. Mishra for respondent

Nos. 1 and 2.

Mr. V.R. Dhond i/b. D.S.K. Legal for respondent NO.3.

Mr. S.B. Jijina i/b. Mulla & Mulla for the

respondent No.4.

Mr. T.R. Yadav, for Applicant in Chamber Summons

No.146 of 2006

CORAM: **F.I. REBELLO &**

MRS.V.K.TAHILRAMANI, JJ.

DATE: 27TH JUNE,2006

P.C.

. We have heard learned Counsel for the parties. On behalf of the petitioner learned Counsel has drawn our attention to an order passed by the

Joint Secretary, Government of India. Para.17 of the said order reads as under:-

> "17. Keeping in view the arguments advanced by Msgr. Lobo, I am of the view that while constituting an Examining Committee or a Revising Committee the Board should ensure that one or two members belonging to Christian community are included in the committee where a film contains substantial references to that religion. Further, there is also a provision in rule 41(4) and (7) of the Cinematograph (Certification) Rules, 1983 which permits the Examining Committee to take expert opinion on such matters before giving its final recommendation. The Chairman of the Board should bring this to the notice of the members of the Board and its advisory panels."

It is thus clear that there are already guide-lines and Rules by which the Censor Board can invite members of a religious group or order to be a part of the mechanism of the Board in the event there is substantial reference to that religion whilst issuing a certificate. Needless to say that Censor Board will be bound by the said provisions.

. In the instant case considering the movie

itself, we do not think that this was a case where the Censor Board should have invited the members of the Christian community on the board.

2. The other aspect of the matter is that some of the posters which were released have no connection whatsoever with the movie or are shown in such a manner which does not correctly depicts the true picture. Learned Counsel for respondent Board points out that the posters are not approved by them, but the film industry itself has a mechanism under which the posters are regulated. We hope that the Film Industry will take steps to see that whatever posts are released do not reflect what does not form part of the movie or the characters shown in the movie.

. With the above observations, petition stands disposed of.

(**F.I. REBELLO, J)**

(**MRS.V.K.TAHILRAMANI, J).**